

## CHAPTER LXVI.

An Act concerning Free Negroes and Mulattoes, Servants and Slaves.

[APPROVED, FEBRUARY 10, 1831.]

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the first day of September next, no black or mulatto person coming or brought into this state, shall be permitted to reside therein, unless bond with good and sufficient security be given on behalf of such person of colour, to be approved of by the overseers of the poor of some township in this state, payable to the state of Indiana, in the penal sum of five hundred dollars, conditioned that such person shall not at any time become a charge to the said county in which said bond shall be given, nor to any other county in this state, as also for such person's good behaviour; which bond shall be filed in the clerk's office of the county where the same may be taken. And a conviction of such negro or mulatto, of any crime or misdemeanor against the penal laws of this state, shall amount to a forfeiture of the condition of such bond: *Provided,* That on any suit brought upon such bond for the penalty thereof, a less sum than the penalty, may, in the discretion of the jury trying such action, be assessed against any defendant or defendants, by way of damages.

Negroes and mulattoes migrating into this state, shall give bond, &c.

Bond to be filed. Conviction of crime, shall forfeit bond. Proviso as to damages.

SEC. 2. If any negro or mulatto coming into this state as aforesaid, shall fail to comply with the provisions of the first section of this act, it shall be and is hereby made the duty of the overseers of the poor, in any township where such negro or mulatto may be found, to summon him, her or them, to appear before some justice of the peace, to show cause

Negro failing to give bond, how proceeded against.

why he, she or they shall not comply with the provisions of this act; which summons shall be issued by a justice of the peace, on the application of any overseer of the poor in this state, and shall be executed by the proper constable. And if such negro or mulatto shall still fail to give the bond and security required by the first section of this act, after being brought before such justice as aforesaid, it shall be the duty

May be hired out, and proceeds applied to his benefit.

of the overseers of the poor of such township, to hire out such negro or mulatto for six months, for the best price in cash that can be had. The proceeds arising from such hiring shall be paid into the county treasury of the proper county, for the use of such negro or mulatto, in such manner as shall be directed by the overseers of the poor aforesaid.

Or be removed under the poor law.

*Provided however,* That it shall be lawful for the overseers of the poor, to remove such negro or mulatto, without the jurisdiction of this state, in the same manner and under the same rules and regulations as are pointed out in the act for the relief of the poor, instead of hiring such negro or mulatto out, at the discretion of said overseers.

Penalty on sheriff or jailer for committing negro, without authority.

SEC. 3. Any sheriff or jailer, who shall hereafter commit or suffer to be committed to prison, any negro or mulatto without a lawful mittimus, or being otherwise authorized by law for that purpose, or under the provisions of this act, shall be fined, upon presentment or indictment, in any sum not less than one hundred, nor more than five hundred dollars.

Penalty for harbouring negro who has not given bond.

SEC. 4. Should any person or persons knowingly engage or hire, or harbour such negro or mulatto hereafter committed or being brought into this state, without such coloured person first complying with the provisions of this act, such person or persons so offending, shall pay a fine of not less than five, nor more than one hundred dollars, to be recovered on presentment or indictment.

Masters with their slaves, may travel through this state.

SEC. 5. That the right of any person or persons to pass through this state, with his, her or their negroes or mulattoes servant or servants, when emigrating or travelling to any other state or territory, or country, making no unnecessary delay, is hereby declared and secured.